

**WOODS CROSS CITY COUNCIL MEETING
JANUARY 19, 2016**

The minutes of the Woods Cross City Council meeting held January 19, 2016 at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

CONDUCTING:

Rick Earnshaw

COUNCIL MEMBERS PRESENT:

Rick Earnshaw, Mayor
Tamra Dayley
Jessica Gertsch

Wally Larrabee
James Sheldon
Ryan Westergard

STAFF PRESENT:

Gary Uresk, City Administrator
Jessica Sims, City Recorder
Tim Stephens, Community Development Director
Greg Butler, Police Chief

VISITORS:

Lois Schrader
Mario Gonzales
Kelli Jo Castleberry
Bill Francis
Scott Cline
Becky Gines
Corey Boyle
Brian Duerden

Don Schrader
LeGrande Blackley
John Castleberry
Dawn Lamb
BaNae Cline
Corey Jorgensen
Caitlin Jorgensen
John Petroff

Stephanie Gonzales
Patt Hutsell
Gary Francis
Stephen Lamb
Ken Holman
Kira Jorgensen
Judy Wood

INVOCATION:

Rick Earnshaw

PLEDGE OF ALLEGIANCE:

Ryan Westergard

APPROVAL OF MINUTES

The Council reviewed the minutes of the City Council meeting held January 5, 2016. After their review, Council Member Gertsch made a motion to approve the minutes as written with Council Member Larrabee seconding the motion and all voted for the motion through a roll call vote.

REVIEW OF THE FINANCIAL REPORT

The City Administrator presented the financial report for December to the City Council and noted the city was halfway through their fiscal year.

There were no questions for the City Administrator regarding the financial report and the Mayor thanked the City Administrator for his report.

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APPROVAL OF CASH DISBURSEMENTS

The Mayor then noted the Council had been given for their review, the cash disbursements from December 24, 2015 to January 9th, 2016. Council Member Sheldon made a motion to ratify the cash disbursements as presented with Council Member Westergard seconding the motion and all voted for the motion through a roll call vote.

OPEN SESSION (BRIEF ITEMS)

The Mayor then opened the meeting to items from the public that they would like to bring before the City Council. This would be items that would take less than two or three minutes.

There were no items for the brief open session and the Mayor closed the brief open session.

**RECOGNITION OF COREY BOYLE AND COREY JORGENSEN FOR THEIR
ADVANCEMENT TO POLICE OFFICER III**

The Chief then recognized Officers Corey Boyle and Corey Jorgensen for their advancement to Police Officer III and explained the qualifications they had to meet to be able to advance to Police Officer III.

The Mayor and Council and Chief Butler congratulated them on their advancement and thanked them for their service to the community.

POLICE DEPARTMENT REPORT

The Mayor gave the floor to the Chief of Police who reported the following information to the City Council in regards to the activities of the Woods Cross Police Department:

DISPATCHED CALLS

<u>2015</u>	<u>2014</u>	<u>Yearly</u>
Jan-1169	Jan-748	2015—12,819
Feb-1030	Feb-662	2014—9495
March-1065	March-761	2013—8979
April-1010	April-838	2012—7347
May-1070	May-956	2011—6918
June-1131	June-763	2010—7167
July-1180	July-802	
Aug-1167	Aug-777	
Sept-1104	Sept-803	
Oct-1072	Oct-734	
Nov-905	Nov-946	

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Dec-916

Dec-873

ASSISTS OUTSIDE AGENCY
2015

Jan.-223	April-118	July-156	Oct-168
Feb-142	May-143	Aug-205	Nov-176
March-106	June-178	Sept-193	Dec-135
Total 1943			

ACTIVITY REPORT

- New officer testing will take place on January 5
- UCOPA Winter Meetings Held
- Glock filmed 30th Anniversary Commercial at WXPd
- 5 Scout Tours & 1 drug class for scouts
- Attended Christmas Lunch at Benchmark
- K-9 Demo at Elementary School
- Attended Joint Terrorism Task Force meeting (San Bernadino- & Paris)
- We went to paperless in records
- Sat. February 6th the WXPd is sponsoring an ice fishing event at Bntlf. Pond 9-11AM

USE OF FORCE REVIEWS

None

LETTERS

Letter praising the caring actions of some of the officers in the police department

SWAT TEAM ACTIVITY

Assisted WXPd on a search warrant
16 hours team training

WOODS CROSS SCHOOL ACTIVITIES

- Traffic Accident
- Two Fights (girls)
- Two thefts
- Short month because of Christmas

K-9 ACTIVITY

- 5 deployments in December
- Found meth on traffic stop

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- Found marijuana for BPD
- Found heroin for Metro Narcotics Unit
- Did K-9 Demo for Bountiful High School

LPR HIGHLIGHTS

- No shifts worked Dec. SRO has been using vehicle to get to work in bad weather as his Scion FRS does not do well in snow

DETECTIVE CASE LOAD

- | | |
|-----------------------------|----|
| • Active Cases | 22 |
| • To Be Screened | 2 |
| • New CANR | 6 |
| • Felony Warrants | 14 |
| • Felony Cases in Screening | 6 |
| • Search Warrants | 1 |

The Council asked how many applications they had for the two vacancies in the police department and it was noted there are 19 applicants. The Chief said they are working hard on finding ways to keep our police officers as employees within Woods Cross City. The Mayor thanked the Chief for his report and all he and his officers do for the community.

DISCUSSION WITH DAVIS COUNTY COMMISSION MEMBERS

The Mayor then welcomed Mr. John Petroff of the Davis County Commission and asked him to introduce himself. Mr. Petroff then explained to the Council that he had served on the Davis County Commission for seven years and had enjoyed doing so but would not be seeking re-election. He commented on how good the police report was that had been given and how lucky our community is to have such a good police department.

Mr. Petroff then asked the Council if there were any questions for him or if he could do anything for Woods Cross City. He said he felt that we live in the best county in the state and how fortunate we are to live here. He also mentioned he had been to a recent mosquito abatement meeting and that is also a well-run establishment.

The Mayor said he felt that all of the city's within our community work well together and even if there is a problem it is worked out in a good manner. The Mayor then asked Mr. Petroff what he thought the biggest issues facing the county would be in the next five years.

Mr. Petroff said one of the challenges he felt like the county would face is that as technology advances it will be a challenge to keep up with it as it changes so rapidly. Also keeping up with the salaries of employees who have knowledge of new technologies will also be challenging. He

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said they are trying to get college graduates who have this knowledge, but have to pay them more because of their skills. He also said that keeping the pay scale up to date for current employees that have been with the county for a long period of time because of their experience is also challenging.

Mr. Petroff also said they are looking at how to utilize Proposition One money and collaborate on projects and expenses throughout the county. He said they would all need to work together on making things happen successfully.

Mr. Petroff thanked the Mayor and Council for all they do. The Mayor in turn thanked Mr. Petroff from coming and for his years of service to the county and how nice it had been to work with him over the years.

**PUBLIC HEARING: OVERLAND DEVELOPMENT REQUEST TO REZONE
PROPERTY LOCATED AT 1842 WEST 2425 SOUTH FROM C-2 GENERAL
COMMERCIAL TO I-1 LIGHT INDUSTRIAL/BUSINESS PARK**

The Mayor gave the floor to the Community Development Director who gave the following information to the City Council regarding this item on the agenda:

“Several years ago, the city and RDA owned all the property along the north side of 2425 South Street west of Redwood Road to the salvage yard. The city’s purpose in purchasing this property was to relocate the South Bountiful Auto wrecking yard. After the relocation was accomplished, the city began to sell off the remaining properties between the salvage yard and Redwood Road. Keith Duerden purchased the corner and Mr. Duerden requested that the city rezone the corner from I-1 Light Industrial to C-2 General Commercial. Mr. Duerden believed there was the possibility that a commercial use could be developed on the corner.

“Recently, the city received a rezone application from Overland Development signed by Keith Duerden requesting that the property be rezoned from C-2 General Commercial back to I-1 Light Industrial. The purpose for the requested rezone would be the development of a self-service storage facility which is presently a conditional use in the I-1 Zone but is not permitted in the C-2 General Commercial Zone.

“The General Plan describes this larger area of the city, located near the northwest corner of 2600 South, as having a light industrial profile including warehouse and office uses. The staff had hoped that the rezoning of the property to C-2 Commercial would result in some type of nice, commercial development fronting on Redwood Road. The development of a self-service storage facility on such a prominent corner is less appealing. However, the property was originally zoned I-1 Light Industrial as are neighboring properties on 2425 South Street which includes the opposite corner on the south side of 2425 South. Even if the property is eventually rezoned by the City Council to I-1, it will be necessary for the applicants to return to the Planning Commission to request conditional use and site plan approval of the self-service storage facility.

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“The Planning Commission held a hearing on this matter and has recommended that the property be rezoned from General Commercial C-2 to Light Industrial/Business Park I-1.”

Mr. Ken Holman, a developer, came before the City Council representing this item to describe for the City Council what he was planning for this piece of property. He noted they were planning on doing really nice, first class, self-storage unit facility and this would be his second development like this. He said they were just in the first stages of planning and he was waiting on the decision for a rezone before he moved ahead.

The City Council asked what he meant by a first class facility. He said the project would include block walls with some architecture and there would be very little metal in the project and it would include a high tech security system and each unit would be insured personally for the contents. He said they can track who is coming and who is going and who opens and closes the units and these things are tracked by high definition TV systems.

The Mayor noted the city ordinance requires onsite managers. Mr. Holman said they would be happy to comply with that.

The Council asked the Community Development Director if there had been any public input and he said there had not been any input from the public. The Council also asked what conditions would be required for this project and the Community Development Director said they would need to comply with light and noise ordinances that would not disturb the surrounding businesses or neighborhoods.

Mr. Holman said they did close in the evenings and would not be operating a 24/7 business here. The Council asked if Mr. Duerden still owned the property and Mr. Holman said he did still own the property but he was out of town at this time so he could not contribute to the discussion on the property at this time.

The Mayor said his biggest concern was that when Mr. Duerden purchased the property the Council rezoned this piece of property to C-2 because he had expressed at that time he would like to put a nice commercial property on that corner. Mr. Holman said he also wanted to see a nice commercial development here but there had been very little interest.

The Council also expressed concern of storage units backing the townhomes and how the people in the townhomes would feel about having storage units as a neighbor. If it was a commercial development it would be required to be landscaped and might appear nicer than a block type of project such as the storage units.

Mr. Holman said he would meet any landscaping requirements the City has and that there would be a retail store and employees would be onsite during business hours to help with security.

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Mr. Holman also said that if commercial developments did start to go in nearby and there was more interest for commercial in the future, the storage units could be taken down and a new development put in its place after five years or so.

Council Member Dayley said further down Redwood Road has a lot of good retail going in and also some office buildings and she was hoping there still might be some interest for a commercial development here. She also wondered what the life expectancy for storage sheds would be. Mr. Holman said it would depend on what the economic feasibility is and that would determine the life of a storage unit project.

Council Member Gertsch asked if there is demand for more storage sheds because we have quite a few in the city already. She also said we are a small city and we are still growing and she feels that if the city waits there would still be a possibility for a commercial development here.

Mr. Holman said that one of the previous storage unit areas was sold out within four months which is very unusual. He said it usually takes 1-2 years for full capacity. He also said that he felt there is a need for storage in the area as some homes located within the surrounding areas may not have sufficient storage.

The Mayor then opened the public hearing.

Mr. Brian Duerden came up and said he is Keith Duerden's oldest son but said he had some background in Commercial Real Estate Lending for Wells Fargo bank and one of his customers is one of the second largest operators of self-storage units in the country and what he has learned is this would be a fantastic use for the property for self-storage and would be a great amenity to the city and self-storage draws tenants from 3 miles around and that they would be from residential people in the immediate residential area especially if the homes lack storage in the homes. He said he just wanted to offer that insight. He said this is probably a down zone for the property and would be nice for commercial use right now but retail is challenging right now for tenant interest and from the financing too but it will be at least five years down the road for a commercial development to be interested in developing on this piece of property.

Mr. Mario Gonzales living at 1489 South 950 West came before the Council and said he thought there was already a self-storage property in Woods Cross. He said he felt like with the new tractor store open there is more likelihood that a commercial development would be interested in moving in because there are more customers coming into the area. He said he thought if people living near the proposed storage site would not like looking at a brick wall as a neighbor. He said that he really wondered if putting storage sheds in this area was the right thing to do.

There were no further comments and the Mayor closed the public hearing.

The City Administrator said he was the one that had originally negotiated with Mr. Duerden and talked with him about putting something commercial in this area. He asked Mr. Duerden's son if his father had tried to put something commercial in. Mr. Duerden's son said he did but there had

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been no interest. The City Administrator said the property owner has a right to develop his property but that also it is very unlikely that the storage units would go away after 5 years.

The Mayor said he was excited when the Tractor Store went in and everyone was hoping there would be more commercial would follow.

This concluded the discussion.

**CONSIDERATION TO ADOPT AN ORDINANCE REZONING PROPERTY LOCATED
AT 1842 WEST 2425 SOUTH FROM C-2 GENERAL COMMERCIAL TO I-1 LIGHT
INDUSTRIAL/BUSINESS PARK**

The Mayor called for a vote on this matter and Council Member Westergard said he felt that the timing isn't right for storage units but that it was brought in before City Council before and the zoning was changed once before. It was mentioned maybe the item could be tabled for further consideration and to see if there might be further commercial interest. Council Member Larrabee asked if it would put an undue burden on the property owner to table it for about 90 days to see if anything different might happen. Mr. Holman said that would set his project back and then it would mean building into the winter which would not work for the development. He said there are some pieces of property that have a highest and best use and he felt this would be a very successful project and bring in revenue into the city and hoped for a decision tonight.

It was suggested maybe an open house be held regarding plans for the property to get input from the neighbors. The Council asked if there had been a notice posted on the property regarding the request for rezone and it was noted that it has been published in the paper and on the website for 3 weeks. Mr. Holman said there hasn't been one negative comment for the project.

Council Member Sheldon agreed there is a demand for storage but he was concerned that this was not the right thing for this property.

The City Administrator said the real issue is if the City Council feels the appropriate use for this property is for C-2 use or, in fairness of the property owner, to rezone it back to I-1 so it will be utilized. If it is not rezoned it will probably sit there awhile vacant.

Council Member Westergard said as we have discussed over the years we have had other uses that we envisioned for other things on other properties. It was the hope that the commercial use would keep going down the road. He suggested that maybe they look at it for 30 more days for consideration.

After the discussion above, Council Member Gertsch said she was torn but she thought that there would not be any new information to reconsider in 30 days so she made a motion to adopt ordinance #570, an ordinance rezoning property located at 1842 West 2425 South from C-2 General Commercial to I-1 Light Industrial/Business Park. Council Members Gertsch and

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Larrabee voted for the motion, Council Members Sheldon, Westergard and Dayley voted against the motion. The motion did not pass with a vote of 2 for the motion and 3 against the motion.

The Mayor noted the motion failed and he would like to see a flier go out to the nearby neighbors and let them know what is being proposed. He said maybe doing an open house and a conceptual drawing might also be helpful.

The Community Development Director said there is a chance for more commercial with some of the other potential developments that would be going in, but that there is a lot of light industrial as well.

Council Member Westergard said the airport was just upgraded and it would not be changing anytime soon and would partner well with a commercial development. Council Member Dayley wondered how many square feet of storage sheds there were within Woods Cross City. The Community Development said he did not know for sure but he did say there have not been many storage sheds that have transitioned to commercial projects.

After further discussion Council Member Sheldon made a motion to reexamine this item in 2 Council meetings from now to allow an open house to be held and do some further research on the project. Council Member Westergard seconded the motion and all voted for the motion through a roll call vote.

**CONSIDERATION TO ACCEPT BID FROM TERRACON TO PROVIDE
GEOTECHNICAL WORK TO DETERMINE CAUSE OF SUBSIDENCE IN THE FARM
MEADOWS SUBDIVISION**

The City Administrator noted he had reviewed the subsidence in the Farm Meadow subdivision previously with the City Council and he had been looking into getting a bid from a geotechnical firm to do some boring in the area being affected to see what is really causing the subsidence to occur. He said he felt that the city is justified in getting involved in this as it is not only for the home owners but for the other city utilities that are located within this area. He said he had gotten a bid from Terracon but believed another approach may be better and because of this other approach, other bids may need to be pursued. He said that after reevaluating, he felt it would be better to do more borings in the public right-of-way so they could see what is happening. He said he would like to look into the matter further to put out more bids to make sure they are getting the most economical bid for the testing the city would like to have done. The Mayor asked if the geotech firm could go deeper than the 30 feet originally proposed and the City Administrator said yes but they would like to start at 30 feet. He was asking the Council to authorize up to \$10,000 for 4-6 borings in the public right-of-way and bore down to 30 feet and put it out for bid. He said they may never know why this is happening but it is important to see what is going on so hopefully a solution can be found.

Ms. Kelli Jo Castleberry, a resident in the area experiencing the subsidence said she had spoken to many of her neighbors that are also experiencing the problems of areas on their homes sinking

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and that it has been within the last year that this problem had occurred. She said her home has dropped 6 inches. The City Administrator said those homes have been there for 18 years and he had never seen movement of homes like this in any subdivision in the city. The Mayor said he was grateful for the Castleberry's that had called to let the city know of the situation because he was unaware of the situation until Ms. Castleberry had called. She expressed her appreciation for the help that she has been receiving from the city staff and their diligence in trying to help figure out what is happening in this area.

The Mayor said he would really like to stay on top of the utilities so that the residents living within these homes are safe and there will be no incidents with the utilities because of the subsidence. It was also asked how the utilities in this area would be monitored and it was noted that pipes would possibly be installed and staff would ask if there is any other technology that could help to monitor this problem. The Mayor said to make sure the neighbors and utilities keep them informed if there are any further changes.

Council Member Westergard made a motion to table this item until the next scheduled meeting so the staff can do some more research and gather more information for further bids. Council Member Sheldon seconded the motion and all voted for the motion through a roll call vote.

LEGISLATIVE UPDATE

The Mayor then gave the floor to Senator Todd Weiler who gave an update on some of what would be discussed during the upcoming legislative session and answer any questions the City Council might have for him. Representative Edwards who usually accompanies Senator Weiler to report on the legislative session, was not available for this meeting and would join them at the next Council meeting. Senator Weiler said some of the topics that would be discussed would be the budget, education, and transportation.

Council Member Westergard asked Senator Weiler if during this legislative session if the matter of the waste to energy program the sewer district has been exploring would be discussed. Senator Weiler said they would be discussing it. He said he felt it was a win, win situation and that it would be beneficial to our taxes in the future if this project were to move forward.

Council Member Larrabee asked how concerned the public might be about the new medical marijuana bills that are being introduced during the session. Senator Weiler said there should be a great concern for it because it was not drafted well last time but this bill is drafter better and hopefully there will be good discussion on this matter. He said it might be a hybrid of several bills that will be considered and possibly passed this session.

Council Member Dayley asked if there is a connection between decreasing penalties for drug charges because of the need to relocate the prison and seeing more police calls for police service in trying rehabilitation for lesser offenders. Senator Weiler said the new program for rehabilitation is only 6 months out but trying to use behavioral science to differentiate between a good person who has a mental health problem with those who are dangerous criminals is

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sometimes difficult. He said it is very expensive to house and inmate but is significantly less expensive to treat a drug addiction. He said they are taking it step by step. He said lesser offenders will not be forgiven of their crimes but the program will they will be treat them. Chief Butler said he did not see that the two had any correlation and agreed with Senator Weiler that this is the correct way to handle the issue.

The City Administrator asked if there would be any changes in the retirement for police officers. Senator Weiler indicated that a couple bills would be proposed, but he did not feel very supportive of changing the current Tier 1 and Tier 2 systems. Senator Weiler also gave some information about body cameras for officers and also gave out his cell phone number for anyone who might want to ask him any questions or have any concerns he can address.

The Mayor and Council thanked Senator Weiler for coming to the City Council meeting tonight.

CONSIDERATION TO APPROVE THE ACCEPTANCE OF THE BID FOR THE CONSTRUCTION OF THE PICKLEBALL COURTS AT HOGAN PARK

The City Administrator noted the following for the City Council:

“I had sent bids for construction of the pickle ball facility to four companies with American Sports Builders Association Certification, (Conner Sports Court, Parkin Tennis Courts, Renner Sports Surfaces, Evergreen Tennis Court).

“I received one bid back from:

Parkin Tennis Courts	lump sum cost	\$115,668.00
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“I recommend the acceptance of this bid. The city has worked with this contractor previously and have not had any issues with them.

“The lighting will not be changed at this time since the lighting poles will not be an impact in this construction. Power to the edges of the new court for park use will be a separate contract with our electrical contractor we use for our daily needs.”

Council Member Dayley made a motion to approve the acceptance of the bid for the construction of the pickle ball courts at Hogan Park. Council Member Sheldon seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO APPROVE THE PURCAHSE OF A NEW 2016 JOHN DEERE LOADER

The City Administrator noted the following for the City Council:

“Given to the Council is a purchase order from John Deere Equipment. It proposes the following:

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- | | |
|--|-----------------------------|
| 1. Purchase a new 2016 John Deere | 544 K loader for \$126,561 |
| 2. Trade in our existing 2015 John Deere | 544KXT loader for \$149,100 |

The difference would be \$22,539 paid back to Woods Cross City.
“I recommend this purchase and trade in.”

After the review by the City Council, Council Member Westergard made a motion to approve the purchase of a new 2016 John Deere Loader. Council Member Gertsch seconded the motion and all voted for the motion through a roll call vote.

**CONSIDERATION TO ADOPT A RESOLUTION APPOINTING RICK EARNSHAW
AS A MEMBER OF THE SOUTH DAVIS METRO FIRE SERVICE AREA BOARD OF
TRUSTEES**

The City Administrator noted the following:

“Given to the Council is a copy of a resolution that appoints the Mayor as the Woods Cross member of the Board of Trustees of the newly created South Davis Metro Fire Service Area. The bylaws of the newly created service area allows for the appointment of an alternate to serve in the Mayor’s place in case he cannot attend the meeting and the resolution designates Ryan Westergard as the alternate trustee for the service area.”

Council Member Sheldon made a motion to adopt resolution 2016-608, with corrections in the spelling, a resolution appointing Rick Earnshaw as a member of the South Davis Metro Fire Service Board of Trustees. Council Member Larrabee seconded the motion and all voted for the motion through a roll call vote.

SAFETY ACCOUNTABILITY REPORT

The City Administrator noted the following:

“Given to the Council is the Safety Accountability Report for December 2015. There were no incidents during the month of December, meaning we had no loss of work or other incidents during the total of 2015. I feel this is a great accomplishment for the employees of the City to have a great safety record and we hope to continue this through 2016.”

The Mayor and City Administrator thanked all city employees for their attention to safety.

OPEN SESSION

Council Member Gertsch asked if there had been any follow up with the speeding of cars near JoAnn Ellis’s home on 1500 South. It was noted the speed trailer cannot be placed on the roads

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during the winter months because the snow plows cannot get by, but staff will continue to monitor the problem in the area.

Council Member Gertsch then noted she had spoken with the manager of the Hampton Inn Hotel and he had said that since the new water treatment plant had been in operation he had experienced large calcium deposits in his water pipes. Mayor Earnshaw said he didn't think it was the water treatment plant but sediment from the construction of I-15 which has caused the sediment to enter the pipes and he needs to continue to clean the screens of the faucets with the hotel. The City Administrator said he would have staff go and visit with him to see what can be done.

Council Member Sheldon asked if fluoride was in the water since the water treatment facility had gone in. It was noted there is not fluoride in the water and that fluoride consideration had been on the ballot several times and it had failed twice. The City Administrator said it can always be reconsidered.

WASATCH INTEGRATED WASTE REPORT

Council Member Larrabee is now the representative on the Wasatch Integrated Waste District board of directors. He noted the first board meeting would be held February 3, 2016. He also said he has a tour scheduled of the facility and there would also be a budget committee meeting scheduled for next week.

MOSQUITO ABATEMENT REPORT

Council Member Sheldon reported on the activities of the Mosquito Abatement District where he serves on the board of directors. He said the district is having to pay more money for testing and they are looking at moving towards in-house testing to reduce costs when construction of the new building is done which is close to completion.

He did say they discussed the Zika virus that possibly came from another country and is affecting some of the southern states.

He said the contract for air spraying is going to be up and they are looking for a new vendor.

PLANNING COMMISSION REPORT

Council Member Sheldon reported on the last Planning Commission meeting. Please see the minutes of that meeting for the details of his report.

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SOUTH DAVIS METRO FIRE AGENCY REPORT

The Mayor reported the fire district had approved the resolution to become a district. He said it would be starting July 1, 2016 and it will be its own taxing district. They also approved a 6 month budget and kept the same board of trustees until July 1, 2016.

SOUTH DAVIS RECREATION DISTRICT REPORT

The Mayor then reported on the activities of the South Davis Recreation District and said they had gotten further information regarding the recent suicide that had occurred at the recreation facility. He said a meeting had taken place to make some changes of the operation of the recreation center like bolting down the chairs and more training for the front desk employees.

MAYOR'S REPORT

The Mayor then reported that the open house regarding the proposed mixed use development would be held in the Council chambers tomorrow night at 6:30 P.M. and encouraged all to attend.

CITY ADMINISTRATOR'S REPORT

The City Administrator reviewed the following with the City Council:

“Given to the Council is a term sheet listing the terms of the participation agreement with Thackery/Garn. This is a listing of the terms that will be submitted to John Thackery to determine if he is amenable to it. I would like your comments on the proposal before we forward it to him.

“We are proposing to pay them 95% of the property tax increment in the project that has been negotiated with the other taxing entities which is 50% of the increment for 15 years. We will keep 5% of the collected increment for administrative costs of the RDA. We estimate the amount paid to them will be approximately \$1.4 million. We are also recommending paying to them 35% of the sales tax increment generated by the project for five years. The developer has asked for 50% but we do not feel comfortable exceeding 35%.

“We are also recommending paying \$100,000 out of the Class C Fund since they are overlaying Wildcat Way at our request and we feel this is a benefit to users outside their project. We are also paying \$75,000 out of the water fund since they are replacing a water line in their project and \$40,000 out of the storm drain fund since they are replacing a storm drain line through their project.

“These payments total to just a little over \$2.2 million which is \$400,000 short of the developer's request of \$2.6 million. We are providing additional consideration which are:

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- (1) They will receive the property tax increment on the Olson property east of the Smith project that they have proposed for apartments.
- (2) As an incentive for them to develop the Olson parcel commercially rather than residentially, we would be willing to pay them 100% of the sales tax increment on this parcel for five years.
- (3) Any amounts over the property and sales tax estimate shown on table 1 would be available for the developer to meet his \$2.6 million dollars.

We are putting in the terms and conditions that if the infrastructure costs are less than \$2.6 million dollars then that is what they are eligible to receive. If the infrastructure costs are more than \$2.6 million we will pay up to the \$2.6 million if the money becomes available.

“Table II lists the infrastructure that justifies the \$2.6 million. Jason has the amount of \$3.8 million. We are working on getting that list to the requested \$2.6 million.

“We are also stating that the payment of the property tax must be triggered no later than 2018 at the developer’s discretion. The sales tax payments must be triggered any time prior to 2017 at the developer’s discretion.

“There will need to be a separate agreement between the RDA and the city regarding the sales tax, Class C, Water Fund and Storm Water Fund payments, with the agreement with Thackery/Garn being solely between them and the RDA.”

The City Administrator also outlined what the repairs to the multi-purpose room would be and what the costs would be for the repairs.

ADJOURNMENT

There being no further business before the City Council, Council Member Westergard made a motion to adjourn the meeting at 10:00 P.M. with Council Member Gertsch seconding the motion and all voted for the motion through a roll call vote.

Rick Earnshaw, Mayor

Jessica Sims, City Recorder